REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested. Entry of this Amendment Under Rule 116 is merited as it raises no new issues and requires no further search.

Claims 2-8, 11-13, 15, 18-22, and 29-36 are pending. Claims 1, 9, 10, 14, 16, 17, and 23-28 have been withdrawn from consideration and are cancelled. No new claims have been added.

Claims 29-32, 30, and 5 have been amended in accordance with the suggestions of the Patent Office. Additionally, typographical errors have been corrected in claims 20 and 21. As the Patent Office did not object to such amendments in the Advisory Action mailed June 7, 2006, it is believed that these amendments should be entered as they do not require further search or consideration by the Patent Office. No new matter has been added.

Objections to claims 29-32, 30, and 5

The objections to claims 29-32, 30, and 5 as set forth in the Final Official Action (FOA) mailed March 2, 2006 are believed overcome in view of the foregoing amendments and the objections are requested to be withdrawn.

Claims 2-8, 11-15, 18-22, and 29-35 are patentable over Walters et al. (U.S. Patent 6,914,695)

The rejection of claims 2-8, 11-15, 18-22, and 29-35 under 35 U.S.C. 102(e) as being anticipated by <u>Walters</u> is hereby traversed. A rejection based on 35 U.S.C. §102 requires every element of the claim to be included in the reference, either directly or inherently. Claim 33 is patentable over <u>Walters</u> as <u>Walters</u> fails to disclose all elements of the claimed subject matter. There are at least five reasons claim 33 is patentable over <u>Walters</u>.

1. Walters fails to disclose identification of a selected resident program associated with a specific communication protocol

The Patent Office asserts that <u>Walters</u> discloses identification of a selected resident program associated with a specific communication protocol upon a peripheral device communicating with a wireless device in Figure 8. This is incorrect.

Per Walters, Figure 8 is an example of a data object generated in a digital camera and transferred to a server. Walters at column 6, lines 6-8. Figure 8 fails to disclose any identification performed by the operating system of the server regarding a selected resident program. Figure 8 schematically depicts a data object without providing any information regarding use/operation based on the depicted data object. For at least this reason, withdrawal of the rejection is respectfully requested.

Further, the Device ID depicted in Figure 8 is described solely as being used to transfer Bluetooth device information and being associated with a User ID. Walters at column 13, lines 6-9 ("this format will allow Bluetooth device information to be relayed and associated with a User ID.") Walters uses the Device ID data field to associate a device with a user and not to identify a selected resident program to which to associate the device. That is, Walters fails to disclose identifying a selected resident program associated with a specific communication protocol based on the peripheral device communicating with the wireless device. For at least this reason, withdrawal of the rejection is respectfully requested.

Further still, Walters fails to disclose an enabling use of the Device ID described at column 13, lines 6-9. Walters appears only to state that the Device ID and User ID are able to be relayed in the User ID field and that the format allows device information to be relayed and associated with a User ID without providing any detail regarding how the Device ID is used. With the exception of Figure 8 and column 13, lines 6-9, Walters fails to disclose or suggest any use of the Device ID. Instead, Walters relies on the User ID field for determining actions to be taken, i.e., "The User ID field is used to determine which account the data object is to be processed for and if the data object is valid." Walters at column 13, lines 55-57. For at least this additional reason, withdrawal of the rejection is respectfully requested.

2.   Walters fails to disclose linking the selected resident program with a peripheral device

The Patent Office asserts that Walters discloses linking the selected resident program with a peripheral device upon the peripheral device communicating with the wireless device. See FOA at page 3, final two lines from the bottom. This is incorrect.

11

As described above, <u>Walters</u> describes the use of a Device ID solely as being used to transfer Bluetooth device information and being associated with a User ID. <u>Walters</u> at column 13, lines 6-9 ("this format will allow Bluetooth device information to be relayed and associated with a User ID.") <u>Walters</u> uses the Device ID data field to associate a device with a user and not linking the selected resident program with a peripheral device as claimed in the present subject matter. Thus, <u>Walters</u> fails to disclose linking the selected resident program with a peripheral device as claimed in claim 33 and withdrawal of the rejection is respectfully requested.

Further, as described above, <u>Walters</u> fails to disclose identifying a selected resident program associated with a specific communication protocol based on the peripheral device communicating with the wireless device. As <u>Walters</u> fails to disclose identification of a selected resident program, <u>Walters</u> cannot disclose linking the selected resident program with a peripheral device. For at least this additional reason, withdrawal of the rejection is respectfully requested..

3. Walters fails to disclose attempting to identify the peripheral device

The Patent Office asserts that <u>Walters</u> discloses attempting to identify the peripheral device in Figure 3. This is incorrect.

Per <u>Walters</u>, Figure 3 "illustrates the process of operations which a business that provides wireless digital cameras to customers employed in [a] preferred embodiment." <u>Walters</u> at column 5, lines 60-63. Figure 3 fails to disclose any attempt to identify a peripheral device by the operating system communicating with the peripheral device, rather <u>Walters</u> appears to describe a mechanism for identifying the user of the digital camera (peripheral device). According to <u>Walters</u>, photos from a digital camera are uploaded to a user's account for subsequent access. As described above, <u>Walters</u> at column 13, lines 55-57 indicates that the service provided relies on the User ID in order to determine the user account to be used. For at least this reason, withdrawal of the rejection is respectfully requested.

4. Walters fails to disclose mapping from a successfully identified peripheral device to a corresponding resident program

The Patent Office asserts that <u>Walters</u> discloses mapping from a successfully identified peripheral device to a corresponding resident program at column 13, lines 13-52. This is incorrect.

First, as described above, <u>Walters</u> fails to identify, or attempt to identify, the peripheral device and therefore there can be no disclosure of mapping from a successfully identified peripheral device. For at least this reason, withdrawal of the rejection is respectfully requested.

Second, as described above, <u>Walters</u> appears to describe mapping solely image data from a device to a user account identified by the <u>Walters</u> system. <u>Walters</u> fails to disclose mapping a peripheral device to a corresponding resident program. For at least this reason, withdrawal of the rejection is respectfully requested.

Third, the Patent Office-identified "HTML interface" of <u>Walters</u> is described by <u>Walters</u> as being "[a]ssociated with this user account" and not as being associated with a peripheral device. <u>Walters</u> at column 13, lines 13-14. That is, <u>Walters</u> specifically states that the user account is associated with the HTML interface and not the device. Based thereon, <u>Walters</u> fails to disclose mapping from a peripheral device to a corresponding resident program and withdrawal of the rejection is respectfully requested.

Further still, <u>Walters</u> associates the image data with the identified HTML interface and not the peripheral device (digital camera). The HTML interface "provides a **means to categorize images** into separate HTML pages and sub pages." <u>Walters</u> at column 13, lines 14-15 (emphasis added). For at least this additional reason, withdrawal of the rejection is respectfully requested.

5.   Walters fails to disclose mapping from a communication protocol specified by the peripheral device to a corresponding resident program if the peripheral device is not successfully identified

The Patent Office asserts that <u>Walters</u> discloses mapping from a communication protocol specified by the peripheral device to a corresponding resident program if the peripheral device is not successfully identified at column 13, lines 10-12 and lines 13-52. This is incorrect.

First, as described above, <u>Walters</u> fails to identify, or attempt to identify, the peripheral device and therefore there can be no disclosure of mapping from a peripheral device if not successfully identified. For at least this reason, withdrawal of the rejection is respectfully requested.

Second, as described above, <u>Walters</u> appears to describe mapping solely image data from a device to a user account identified by the <u>Walters</u> system. <u>Walters</u> fails to disclose mapping a

peripheral device to a corresponding resident program. For at least this reason, withdrawal of the rejection is respectfully requested.

Third, the Patent Office-identified "invalid device transmissions" of <u>Walters</u> (FOA at page 4, lines 6-7) neither discloses nor suggests mapping from a communication protocol specified by the peripheral device to a corresponding resident program. <u>Walters</u> describes only that invalid device transmissions may be detected without specifying how such transmissions are handled. <u>Walters</u> at column 13, lines 10-12 ("making it possible to detect invalid device transmissions"). Thus, <u>Walters</u> describes detecting invalid device transmissions and neither (1) unsuccessful identification of a device nor (2) mapping from a communication protocol specified by the peripheral device to a corresponding resident program.

Even assuming *arguendo* that <u>Walters</u> described unsuccessful identification of a device, which applicants do not accept, <u>Walters</u> still fails to describe (and cannot be read to describe) mapping from a communication protocol specified by the peripheral device as there is an absolute lack of description concerning specification of a protocol by the peripheral device. Further, <u>Walters</u> fails to describe any operation performed on an invalid device transmission detection. For at least this reason, withdrawal of the rejection is respectfully requested.

Based on each of the foregoing reasons, claim 33 is patentable over <u>Walters</u> and withdrawal of the rejection is in order.

Claims 2-8 depend, either directly or indirectly, from claim 33, include further limitations, and are patentable over <u>Walters</u> for at least the reasons advanced above with respect to claim 33. The rejection of claims 2-8 should be withdrawn.

Claim 29 is patentable over <u>Walters</u> for at least reasons similar to those advanced above with respect to claim 33 and withdrawal of the rejection is in order.

Claims 30-32 depend, either directly or indirectly, from claim 29, include further limitations, and are patentable over <u>Walters</u> for at least the reasons advanced above with respect to claim 29. The rejection of claims 30-32 should be withdrawn.

Claims 34-36 are patentable over <u>Walters</u> for at least reasons similar to those advanced above with respect to claim 33 and withdrawal of the rejection is in order.

Claims 11-13 and 15 depend, either directly or indirectly, from claim 35, include further limitations, and are patentable over <u>Walters</u> for at least the reasons advanced above with respect to claim 35. The rejection of claims 11-13 and 15 should be withdrawn.

Claims 18-22 depend, either directly or indirectly, from claim 36, include further limitations, and are patentable over <u>Walters</u> for at least the reasons advanced above with respect to claim 36. The rejection of claims 18-22 should be withdrawn.

CONCLUSION

In light of the amendments and remarks contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: July 7, 2006   By: /Robert J. O'Connell/

_____   _____
                                             Robert J. O'Connell
                                             Reg. No. 44,265
                                             (858) 651-4361

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502